

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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SHAWN EDWARD LAWRENCE,

MEMORANDUM & ORDER  
13-CV-2357 (JS) (SIL)

Plaintiff

-against-

DETECTIVE WILLIAM E. KING #1260,

Defendant.

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APPEARANCES

For Plaintiff: Shawn Edward Lawrence, pro se  
15A2858  
Green Haven Correctional Facility  
594 Route 216  
Stormville, NY 12582

For Defendants: Arlene S. Zwilling, Esq.  
Kyle O. Wood, Esq.  
Suffolk County Attorney's Office  
H. Lee Dennison Building- Fifth Floor  
100 Veterans Memorial Highway  
P.O. Box 6100  
Hauppauge, NY 11788

SEYBERT, District Judge:

Pending before the Court are: (1) Detective William E. King's ("Defendant") motion for summary judgment (Def.'s Mot., Docket Entry 44), and (2) Magistrate Judge Steven I. Locke's Report and Recommendation ("R&R") (R&R, Docket Entry 47) recommending that this Court grant Defendant's motion and dismiss the Amended Complaint with prejudice. For the following reasons, the Court ADOPTS Judge Locke's R&R in its entirety.

### BACKGROUND

Plaintiff commenced this action on April 16, 2013, alleging claims for false arrest and malicious prosecution. (Compl., Docket Entry 1, at 5.) On June 28, 2013, the Court directed Plaintiff to file an Amended Complaint detailing the circumstances of his arrest, and he did so on July 15, 2013. (June 2013 Order, Docket Entry 6, Am. Compl., Docket Entry 8.) On July 26, 2017, Defendant filed a motion for summary judgment, and on October 12, 2017, the undersigned referred the motion to Judge Locke for a report and recommendation on whether the motion should be granted. (See, Def.'s Mot.; Referral Order, Docket Entry 46.)

### The R&R

On November 21, 2017, Judge Locke issued his R&R. He recommends that Defendant's motion be granted because: (1) Plaintiff has failed to demonstrate a deprivation of liberty in connection with his false arrest claim, and (2) with regard to the malicious prosecution claim, Plaintiff has failed to show that the underlying charges terminated in his favor. (R&R at 6-9.) Accordingly, he recommends that the Amended Complaint be dismissed with prejudice.

### DISCUSSION

In reviewing an R&R, a district court "may accept, reject, or modify, in whole or in part, the findings and recommendations made by the magistrate judge." 28 U.S.C.

§ 636(b)(1)(C). If no timely objections have been made, the "court need only satisfy itself that there is no clear error on the face of the record." Urena v. New York, 160 F. Supp. 2d 606, 609-10 (S.D.N.Y. 2001) (internal quotation marks and citation omitted).

Objections were due within fourteen (14) days of service of the R&R. The time for filing objections has expired, and no party has objected. Accordingly, all objections are hereby deemed to have been waived.

Upon careful review and consideration, the Court finds Judge Locke's R&R to be comprehensive, well-reasoned, and free of clear error, and it ADOPTS the R&R in its entirety.

#### CONCLUSION

For the foregoing reasons, Judge Locke's R&R (Docket Entry 47) is ADOPTED in its entirety. Defendant's motion for summary judgment (Docket Entry 44) is GRANTED, and the Amended Complaint is DISMISSED WITH PREJUDICE. The Clerk of the Court is directed to enter judgment accordingly, mail a copy of this Order to the pro se Plaintiff, and mark the case CLOSED.

SO ORDERED.

/s/ JOANNA SEYBERT  
Joanna Seybert, U.S.D.J.

Dated: January 17, 2018  
Central Islip, New York